

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MARIO GOMEZ,

Plaintiff,

07 CIV. 9310 (CLB)(GAY)

-against-

**DECLARATION OF  
JENNIFER E. SHERVEN  
IN SUPPORT OF  
MOTION TO DISMISS**

VILLAGE OF SLEEPY HOLLOW, DETECTIVE JOSE QUINOY in his individual and official capacity, POLICE OFFICER ELDRYK EBEL in his individual and official capacity, POLICE OFFICER MIKE GASKER in his individual and official capacity, POLICE OFFICER RICHARD D'ALLESANDRO in his individual and official capacity, LIEUTENANT BARRY CAMPBELL in his individual and official capacity, LIEUTENANT GABRIEL HAYES in his individual and official capacity, SERGEANT WOOD in his individual and official capacity, CHIEF OF POLICE JIMMY WARREN in his individual and official capacity, and POLICE OFFICERS JOHN DOES 1 – 4,

Defendants.  
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**JENNIFER E. SHERVEN**, an attorney duly admitted to practice law in the Courts of the State of New York, hereby affirms, under penalty of perjury, the following:

1. I am an associate with the law firm of MIRANDA SOKOLOFF SAMBURSKY SLONE VERVENIOTIS LLP, attorneys for defendants in the above-captioned action. I submit this declaration in connection with the individual defendants' motion, pursuant to Fed. R. Civ. P. 12(c), to dismiss the plaintiff's complaint against them under the doctrine of qualified immunity.

2. The individual defendants submit this motion in accordance with the Individual Practices of the Honorable Charles L. Brieant, and following the February 14, 2008 deposition

of plaintiff, Mario Gomez, which was taken with respect to the issue of qualified immunity.

3. The attached exhibits are relevant to the individual defendants' motion to dismiss.

4. Annexed hereto are the following exhibits:

Exhibit A A copy of plaintiff's Complaint.

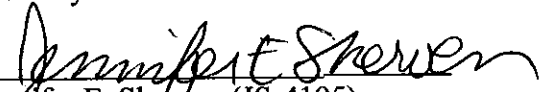
Exhibit B A copy of defendants' Answer.

Exhibit C A copy of the transcript of plaintiff's February 14, 2008 deposition.

Exhibit D A copy of the Court's decision in Crowder v. Valley Police Department, 05 Civ. 8429 (CM)(LMS).

Dated: Mineola, New York  
April 16, 2008

MIRANDA SOKOLOFF SAMBURSKY  
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